REMARKS

Claims 1-28 are pending in the application. Claims 1-4, 6-9, 11-14 and 16-19 were rejected under 35 U.S.C. § 102(e), as described in paragraphs 3-6 of the Office Action. Claims 5, 10, 15 and 20-24 were rejected under 35 U.S.C. § 103(a), as described in paragraphs 8 and 9 of the Office Action. Claims 1, 6, 11 and 16 are the only independent claims.

Claims 1-28 are patentable over the prior art of record for the following reasons.

In accordance with one aspect of the present invention, for example as disclosed on page 12, lines 11-12 of the specification, index data indicating content data is retrieved prior to retrieving the actual content data. In accordance with a second aspect of the present invention, for example as disclosed on page 16, lines 13-22 of the specification, a retrieval request for retrieving authenticated content data is transmitted to the server only if authenticity of the content data is confirmed and then the authenticated content data is received from the server. These features are recited in amended independent claims 1, 6, 11 and 16, as discussed in detail below.

Amended independent claim 1 recites, *inter alia*:

> an index retrieval part operable to retrieve index data indicating the content data **prior to retrieving the content data**;
>
> an authentication part operable to authenticate the content data by using the index data retrieved by said index retrieval part; and
>
> a content retrieval part operable to transmit a retrieval request for retrieving the authenticated content data to the server **only if said authentication part has confirmed authenticity of the content data, and to receive the authenticated content data from the server**.

Each of amended independent claims 6, 11 and 16 recites, *inter alia*:

> retrieving index data indicating the content data **prior to retrieving the content data**;
>
> authenticating the content data by using the index data retrieved in said retrieving; and
>
> transmitting a retrieval request for retrieving the content data to the server **only if authenticity of the content data has**

been confirmed in the authenticating, and of receiving the authenticated content from the server.

Neither Palage nor Moskowitz, either singly or in combination, discloses or suggests the above-identified limitations.

In Palage, Document Viewer 1 retrieves both of a document identifier and a web Document without verification, and then request a verification of the retrieved document to Verification Server 6 as needed.

Palage discloses that: (1) when client Document Viewer 1 loads the HTML text file for the electronic document to be authenticated, this image file is also loaded in Document Viewer 1 (lines 37-40 in col. 5); (2) after the Web document is loaded into Document Viewer 1 (from Document Server 5), Document Viewer 1 waits until the hypertext link is activated, or until the user accesses another URL (9) (lines 19-20 in col. 6); (3) when a user activates the document identifier by clicking on the hypertext link embodied in the certification mark image file, Document Viewer 1 generates a signal to Verification Server 6 (10) (lines 21-25 in the col. 6); (4) the request is routed through Local Access Provider 3 and Web Server 4 to Verification Server 6 (lines 26-27 in col. 6); (5) when the HTTP request is received by Verification Server 6, Verification Server 6 accesses a data source to retrieve a location record based upon the document identifier contained in the verification signal from Document Viewer 1 (lines 50-58 in col. 6); (6) if the location information matches one of the acceptable locations, then the CGI program retrieves an identification record for that location from the database (17-18) (lines 35-37 in col. 7); and (7) the server then serves this response to Document Viewer 1 using TCP/IP (20), and the response is loaded into the viewing window by Document Viewer 1 to be read by the user (21) (lines 43-46 in col. 7).

As described in lines 19-25 in column 6 of Palage, Document Viewer 1 first downloads both of a document identifier and a document from Document Server 5, before verifying the document, and then the Document Viewer 1 displays them. If the user clicks the document identifier on the hypertext link embodied in the certification mark image file, Document Viewer 1 transmits a signal to Verification Server 6 as described in lines 21-27 in column 6. Upon receipt of the signal, Verification Server 6 performs a verification process as described in lines 50-58 in column 6. After Verification Server 6 verifies, the response is transmitted to Document

11

Viewer 1 and displayed, whereby the user knows that he is browsing an authorized web document, as described in lines 43-46 in column 7.

After an authentication process using the retrieved index data is completed, in Palage, content data related to the index data can be retrieved by the data terminal equipment from the server. This allows the data terminal equipment to avoid retrieving non-verified content data. In other words, a user is prevented from browsing non-verified content data.

In light of the above discussion, it is clear that Palage fails to disclose or suggest retrieving index data indicating the content data **prior to** retrieving the content data or transmitting a retrieval request for retrieving authenticated content data **only if authenticity of the content data is confirmed** and receiving the authenticated content from the server. Accordingly, Palage fails to disclose or suggest that which is recited in independent claims 1, 6, 11 and 16.

As anticipation under 35 U.S.C. § 102 requires that each and every element of the claim be disclosed in a prior art reference, *Akzo N.V. v. U.S. Int'l Trade Commission*, 808 F.2d 1471 (Fed. Cir. 1986), based on the foregoing, it is clear that Palage does not anticipate claims 1, 6, 11 and 16.

Further, it is respectfully submitted that dependent claims 2-5, 7-10, 12-15 and 17-28 are additionally novel over Palage within the meaning of 35 U.S.C. § 102.

Moskowitz fails to disclose or suggest the shortcomings of Palage such that a combination of Palage and Moskowitz would disclose or suggest that which is recited in each of independent claims 1, 6, 11 and 16.

As discussed in paragraph 9 of the Office Action, Moskowitz is relied upon for disclosing "embedded data being moving-picture data and/or audio data."

It is submitted that Moskowitz fails to disclose or suggest retrieving index data prior to retrieiving content data relating to the index data as required in the present invention. Specifically, similar to Palage as discussed above, Moskowitz fails to disclose or suggest: an index retrieval part operable to retrieve index data indicating the content data **prior to retrieving the content data** or a content retrieval part operable to transmit a retrieval request for retrieving the authenticated content data to the server **only if said authentication part has confirmed authenticity of the content data, and to receive the authenticated content data from the server**, as recited in independent claim 1; or retrieving index data indicating the content data

prior to retrieving the content data or transmitting a retrieval request for retrieving the content data to the server **only if authenticity of the content data has been confirmed in the authenticating, and of receiving the authenticated content from the** server, as recited in each of independents claim 6, 11 and 16.

Because neither one of Palage or Moskowitz discloses or suggests that which is recited in independent claims 1, 6, 11 and 16, it is respectfully submitted that a combination of Palage and Moskowitz additionally fails to disclose or suggest that which is recited in independent claims 1, 6, 11 and 16. Furthermore, in light of the distinctions between the independent claims and the cited prior art, one of ordinary skill in the art would not have been motivated to modify the applied prior art to arrive at that which is recited in the independent claims.
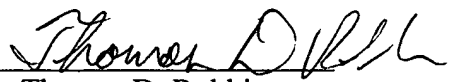
In light of the above discussion, it is clear that independent claims 1, 6, 11 and 16, and the remaining dependent claims 2-5, 7-10, 11-15 and 17-28 are patentable over the prior art of record.

Having fully and completely responded to the Office Action, Applicants submit that all of the claims are now in condition for allowance, an indication of which is respectfully solicited.

If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

Respectfully submitted,

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